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Interim report of the Secretary-General on the United Nations Stabilization Mission in Haiti

I. Introduction

1. By its resolution 1542 (2004) of 30 April 2004, the Security Council established the United Nations Stabilization Mission in Haiti (MINUSTAH) for an initial six-month period, with the intention to renew for further periods, and requested that authority be transferred from the Multinational Interim Force (MIF) to MINUSTAH on 1 June 2004. As requested by the Council, the present report describes the implementation of the mandate of MINUSTAH and the progress made in its deployment.

2. On 12 July 2004, I informed the Council of my intention to appoint Juan Gabriel Valdés (Chile) as my Special Representative for Haiti and Head of MINUSTAH (S/2004/565). Mr. Valdés officially assumed his responsibilities on 17 August 2004. Until that time and since 1 June, my Deputy Special Representative for Humanitarian and Development Coordination, Adama Guindo, served as Officer-in-Charge of MINUSTAH, while continuing his functions as Resident Coordinator and Humanitarian Coordinator. Lieutenant General Augusto Heleno Ribeiro Pereira (Brazil) assumed his functions as Force Commander on 31 May 2004 and David Charles Beer (Canada) will assume his functions as Police Commissioner early in September. My Special Adviser on Haiti, John Reginald Dumas, visited Haiti from 29 May to 9 June and from 17 to 22 August 2004.

II. Deployment of the Mission

Military deployment

3. As stipulated in Security Council resolution 1542 (2004), MINUSTAH formally took over authority from the Multinational Interim Force on 1 June, the Brazilian contingent building up its forces in Port-au-Prince and the Chilean MIF forces being reassigned to MINUSTAH as United Nations peacekeepers. The remaining MIF troops — from Canada, France and the United States of America — continued their activities as foreseen in resolution 1542 (2004), and continued to exercise operational responsibility over the forces in the country.

4. By 25 June, MINUSTAH had built up the minimum military strength required and assumed operational responsibilities from the Multinational Interim Force,

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Brazil providing more than half of the 2,127 troops. The Canadian MIF forces were re-hatted as United Nations peacekeepers until 31 July; the MIF forces from France and the United States of America left by 30 June.

5. In accordance with the military concept of operations, MINUSTAH troops will be deployed throughout Haiti in phases in at least seven sectors. Phase one, which ran from June until the end of July, saw the deployment of the Brazilian brigade in Port-au-Prince, the redeployment of the Canadian company to the greater Gonaïves area and the relocation of a Chilean battalion to Cap-Haïtien, with a detachment in Fort-Liberté. Owing to the limited forces available during this stage — some 2,084 troops — there was no permanent military presence in the other towns of the departments of the West, the Artibonite and the North, but occasional patrols were conducted.

6. In phase two, to be completed by the end of August, the Argentinean battalion replaced the Canadian company in Gonaïves and assumed responsibility for the area from Port-de-Paix through Saint-Marc and south-east to La Chapelle in the department of the Artibonite. The Uruguayan contingent arrived in Port-au-Prince and is being deployed to the south-west, with a primary focus on Les Cayes.

7. Pending the arrival of a contingent from Nepal, the Brazilian brigade continued to operate in a larger than desired area of responsibility, the largest portion of the force being deployed in Port-au-Prince and a platoon temporarily deployed in Hinche. Its frequent foot and vehicle patrols have ensured a visible and deterrent presence. The Brazilian contingent also assumed static security responsibilities in Port-au-Prince, such as providing security for key government sites and facilities, as well as visiting dignitaries. The Chilean contingent patrolled the area of Cap-Haïtien and Fort-Liberté to improve security in the north. More troops will be required, however, to deal successfully with the challenges in more remote municipalities and those along the border with the Dominican Republic.

8. Meanwhile, the Argentinean level II hospital established medical facilities in Port-au-Prince and the Chilean aviation unit (7 helicopters) became operational. It will be augmented by an Argentinean aviation unit of two helicopters late in September. Provisions are being made for a joint Chilean and Ecuadorian engineering company. It is anticipated that approximately 3,000 troops will be operational on the ground by the end of August; as at 17 August, the Mission's troop strength stood at 2,755.

Civilian police deployment

9. On 1 June, a pre-deployment team of eight civilian police officers began establishing the civilian police headquarters, conducting the assessment of the current structure, training requirements, logistics and administration of the Haitian National Police (HNP), and initiated close liaison with HNP. On 17 August, the strength of MINUSTAH civilian police stood at 240 officers, including 5 female officers, from 17 countries. Reconnaissance teams from countries contributing formed police units — China, Jordan, Nepal and Pakistan — visited Haiti during June and early August to evaluate the terrain and plan for their deployment. The first formed police unit, from Jordan, consisting of 125 officers, arrived on 16 August and was operational by 18 August.

10. In accordance with the civilian police concept of operations, the deployment of civilian police officers outside the capital began on 26 July 2004. By 17 August, 22 civilian police officers had been deployed to Cap-Haïtien, 15 to Fort-Liberté, 16 to Gonaïves, 15 to Hinche, 19 to Jacmel, 14 to Jérémie, 17 to Les Cayes and 8 to Port-de-Paix. Regional operational centres were set up in every region where civilian police had been deployed and are functioning 24 hours a day. To support the Haitian National Police in re-establishing their presence and enhance their confidence in dealing with law and order problems, civilian police advisers will be deployed at every decision-making level of HNP and for every special and regional unit. The regions will be reinforced progressively as MINUSTAH military deployments are carried out, evacuation capacities are established, and administrative support is put in place.

III. Security situation

11. Since the arrival of MINUSTAH and the initiation of joint patrolling with the Haitian National Police, the security situation has improved gradually. Armed groups continue to control some parts of the country, however, in particular in the north and the east along the border with the Dominican Republic, and claim to be exercising official security and administrative functions in the absence of a sufficiently strong HNP presence. In other instances, there have been reports of former soldiers sharing offices and patrolling jointly with HNP in some localities. Isolated instances of violence and gunfire, including killings, home invasions, acts of retaliation, kidnappings, gang activity, confrontation between members of HNP and former soldiers of the disbanded Haitian armed forces, vigilante justice and general criminal acts continued to be reported. Armed groups involved in political violence include street gangs, popular organizations that supported former President Aristide, insurgents against the former President, members of the former military, members of disbanded police units, and some organized criminal groups. On 8 July, the Transitional Government's Superior Council on the National Police (Conseil supérieur de la Police nationale), composed of the Prime Minister, the Ministers of Justice and the Interior, the Director General of HNP and the Inspector General in Chief of HNP, issued a communiqué stating that the activities of armed groups presenting themselves as security forces were illegal and that failure to desist from such activities after 15 September 2004 would result in action being taken by the Transitional Government, with the help of MINUSTAH.

12. No incidents targeting MINUSTAH forces have been reported in the period under review. MINUSTAH staff nevertheless continued to require armed escorts for travel outside Port-au-Prince and travel to some areas of the capital remained restricted. The "football for peace" exhibition match on 18 August between the Brazilian and Haitian teams, which was attended by the Presidents of Brazil and Uruguay, took place without incident.

13. Given that the Mission had not yet reached its authorized strength, remote towns and villages remained without a permanent military presence, although occasional patrols were conducted. The lack of a presence in some parts of the country hindered the development of a comprehensive and nuanced security assessment, as reporting was mainly restricted to the major population centres of Port-au-Prince and areas in the north of the country.

IV. Preparations for disarmament, demobilization and reintegration

14. Assisting the Transitional Government with the comprehensive and sustainable disarmament, demobilization and reintegration of all armed groups (estimated at a total of 25,000 individuals) many of which are of an informal and unstructured nature, is a formidable challenge for MINUSTAH. In the interim cooperation framework document prepared by the Transitional Government with the support of the international community (see para. 25 below), the Transitional Government committed itself to the creation of a mixed inter-ministerial commission on disarmament and the adoption of the required legal framework, which would represent an important first step towards the development of a national disarmament, demobilization and reintegration programme and set the framework within which MINUSTAH and the United Nations Development Programme (UNDP), among others, can start to provide technical assistance. The commission has not yet been established, however, and MINUSTAH continued to encourage the Transitional Government to do so as a matter of priority.

15. In accordance with the Consensus on the Political Transition Pact, signed on 4 April 2004 (see S/2004/300, paras. 12-16), the Transitional Government established a commission, led by the Minister of the Interior, himself a former military officer, to examine the situation of the former armed forces. On 13 August 2004, the Transitional Government further announced the formation of an inter-ministerial commission, including representatives of the former soldiers, to study issues related to the compensation for back pay and retirement funds for members of the former military and to formulate recommendations to the forthcoming elected government on the advisability of reorganizing the military. Many former military refuse to recognize the dissolution of the armed forces in 1995 and claim that the armed forces, enshrined in the Haitian Constitution of 1987, could not be abolished without an amendment to the Constitution. A worrying development is their refusal to disarm until their demands are met, and other armed groups, primarily supporters of Fanmi Lavalas, known as *chimères*, are disarmed first. In a move designed to incorporate them into society, the Transitional Government offered qualifying officers the possibility of joining the ranks of the Haitian National Police. As a result, 200 former soldiers are scheduled to undergo a six-month training, which is equivalent to that of other HNP recruits. On 15 August, members of the former military held peaceful but unauthorized demonstrations in the streets of Port-au-Prince to reiterate their demands. Some of them, armed and in military fatigues, marched in front of the presidential palace.

16. The Transitional Government's setting of a deadline for armed groups, other than HNP, to stop claiming to exercise security functions (see para. 11 above) underlines the urgency for it to put in place a disarmament, demobilization and reintegration framework. Meanwhile, the Haitian authorities have somewhat distanced themselves from that deadline. As a follow-up to the limited disarmament activities of the Multinational Interim Force, MINUSTAH military forces, within their capacities, have been as responsive as possible to information received about weapons caches and have confiscated illegal weapons, when feasible.

V. Support for the rule of law and public security

17. The Haitian National Police, which at the time of my last report relied only on a force of no more than 2,500 (S/2004/300, para. 32), today claims to have 3,567 officers. While this represents an improvement over the situation in April, it remains an insufficient number to provide adequate security for the country's population. Police stations that were destroyed during the fighting and looting experienced in the early months of the year have yet to be repaired. The justice and corrections systems remain in need of overhaul. Some 10 courts of first instance and a number of offices of Justices of the Peace were badly damaged during the events of February 2004 and are still awaiting repairs or reconstruction. Although prisons in some areas of the country have reopened, they are in need of improvements to correct major problems, such as overcrowding and improper facilities.

18. MINUSTAH initiated and held regular meetings with officials from the Ministry of Justice, the Ministry of the Interior and the Haitian National Police to discuss assistance in key areas that would contribute to the further stabilization of the country, particularly the disarmament, demobilization and reintegration of all armed groups; preparation of elections; and the reform, restructuring, development and professionalization of HNP. It also held periodic coordination meetings with bilateral and multilateral partners to avoid duplication of efforts to support HNP in their technical, operational, logistics and financial requirements.

19. A team of MINUSTAH civilian police officers has joined the United States and the Organization of American States (OAS) in their efforts to assist HNP in the vetting and selection of HNP aspirants. According to HNP, from June to August 3,803 applicants, including 121 women, were vetted and selected to join the new HNP recruitment programme.

20. As a result of the recruitment undertaken by the HNP authorities, the fifteenth HNP class is scheduled to begin its training on 23 August. MINUSTAH assisted HNP with the preparation of the six-month training programme to ensure that it is in accordance with international policing and human rights standards. A "train-the-trainers" programme was developed in July and will soon be implemented at the HNP Academy in Port-au-Prince, employing 54 local police instructors. MINUSTAH also set up a special training team that will assess needs and prepare a training plan for HNP officers in the regions. In addition, a needs assessment is under way at police stations in the Haitian capital to improve mechanisms in place to respond to the cases of violence against women.

21. As called for in my report of 16 April 2004 (S/2004/300, para. 89), the United Nations carried out additional assessments of the corrections system and the judiciary from 17 to 25 May and from 2 to 12 August to explore what role MINUSTAH could play to assist the Transitional Government in these sectors. As stressed in the interim cooperation framework, the focus of the Mission's work should be on supporting the Transitional Government in strengthening the independence of the judiciary and fortifying systems for holding judicial authorities accountable to applicable legal, professional and ethical standards.

22. The assessment teams concluded that MINUSTAH would need to build on, and complement, the past and ongoing efforts of other partners within and outside the United Nations system, in particular the UNDP programme on the rule of law and prison reform, which has largely re-established the level of programme delivery

achieved before February 2004. To address the needs in Haiti and to augment current UNDP programming, MINUSTAH will require a number of judicial and corrections experts to support Haitian judicial and governmental authorities in strengthening, and where necessary restarting, judicial and corrections systems. The Mission will also need to be able to provide advisers to be co-located with Haitian counterparts in various institutions that are vital to the administration of justice and prisons throughout the country. In addition, the assessment teams recommended that, after the necessary groundwork has been laid, MINUSTAH deploy a team to monitor the judicial system, so as to identify systemic needs and formulate constructive recommendations on how to improve the administration of justice in Haiti.

23. Furthermore, the assessment teams recommended that the efforts of MINUSTAH be combined with current UNDP programming. The precise modalities for cooperation are now being formulated. MINUSTAH efforts in the judicial and corrections areas should begin with the deployment of a few experts, later deployments being carefully phased, taking into account the programming of other international partners, as well as the needs, receptivity and absorption capacity of the national institutions.

VI. Political situation

24. Since the Transitional Government, led by Prime Minister Gérard Latortue, took office on 17 March (see S/2004/300, para. 10), it has begun work to restore governance and prepare the ground for a political transition to an elected Government, in accordance with the priorities and the timeline agreed in the Consensus on the Political Transition Pact. It reaffirmed its commitment to organizing municipal, parliamentary and presidential elections in 2005, restoring macroeconomic stability, initiating a process of national reconciliation and fostering a broad-based political dialogue. On 6 July, the Transitional Government presented its "white paper" containing an overview of its accomplishments during the first 100 days in office. These included the constitution of an independent Provisional Electoral Council, the development of the interim cooperation framework in close collaboration with international partners, the restoration of State institutions that had ceased to function after the events of February 2004, and practical improvements in public services such as the opening of schools, renewed garbage collection, and improvements in the delivery of electricity.

25. During the month of May 2004, the Transitional Government, with the support of bilateral, multilateral and United Nations agencies, prepared the interim cooperation framework, which sets out priorities and targets to respond to the country's urgent and medium-term development needs and bring Haiti through its transition period until September 2006. The interim cooperation framework was developed by working groups composed of over 200 technical experts from the Transitional Government and the international community and focused on four priority areas for action, namely, strengthening political governance and promoting national dialogue; strengthening economic governance and contributing to institutional development; promoting economic recovery; and improving access to basic services. The total needs assessed amounted to $1,370 million, of which $446 million had already been committed by donors. On 20 July, at the International

Donors Conference on Haiti in Washington, D.C., which my Special Representative attended, the international community pledged another $1,085 million.

26. On 23 July, the signatories of the Consensus on the Political Transition Pact agreed to the formation of a follow-up committee to institutionalize the process of overseeing the implementation of the Pact. The Follow-up Committee brings together representatives of the Transitional Government, the Council of Eminent Persons (Conseil des sages), political parties, and civil society groups. Three additional political parties, namely RESPONSE, the Mouvement national et patriotique du 28 novembre (MNP) and the Alliance pour l'avancement d'Haïti (ALAH), have signed the pact. However, Fanmi Lavalas remains outside the main structures involved in the political transition despite the role of the former Prime Minister, Yvon Neptune, in ensuring a smooth transition of power after the departure of former President Aristide in February 2004 (see S/2004/300, para. 9).

27. Tensions have continued to characterize relations between Fanmi Lavalas and the Transitional Government. Members of the party repeatedly alleged that they were subjected to political persecution and staged public demonstrations to demand the release of individuals they claim are political prisoners. The Transitional Government's decision to place a number of Fanmi Lavalas supporters on a list barring them from leaving the country was criticized by Fanmi Lavalas and by a number of human rights organizations. The arrest of former Prime Minister Yvon Neptune on 27 June has been pointed to by many members of Fanmi Lavalas as evidence of political persecution against them. While Mr. Neptune had been detained for his alleged involvement in a massacre in Saint-Marc in February 2004, to date no official charges have been brought against him. He remains in detention. MINUSTAH has emphasized the need to promote the rule of law and to uphold the presumption of innocence until found guilty.

28. During the period under review, Fanmi Lavalas has shown signs of increasing divisions, some prominent politicians previously associated with Fanmi Lavalas having distanced themselves from the administration of former President Aristide. There are also signs that some moderate members may be considering joining the political transition process, if the Transitional Government were to take measures to prevent political persecution. To capitalize on this momentum and as a continuation of efforts undertaken by my Special Adviser early in June to facilitate a rapprochement between the Transitional Government and Fanmi Lavalas, MINUSTAH provided good offices in an effort to broker an agreement between them on the entry of Fanmi Lavalas into the political transition process. A group of former members of Fanmi Lavalas, led by former Senators Prince Pierre Sonson and Dany Toussaint, formed a new political party on 31 July 2004 — the Mouvement démocratique et réformateur haïtien (MODEREH). Although it has not formally signed the Consensus on the Political Transition Pact, it has indicated that it intends to compete in the next elections and be fully involved in the national dialogue by advocating tolerance and reconciliation. With regard to political entities in general, more than 70 political parties and new forces have appeared, so that the political landscape in Haiti remains highly fragmented, even though during the period under review a number of parties initiated negotiations to regroup or form coalitions.

29. The Transitional Government made progress in normalizing relations with the Organization of American States and the Caribbean Community (CARICOM). On 8 June, the General Assembly of OAS, by resolution 2058, instructed its Permanent

Council to undertake, in accordance with the principles and purposes of the Inter-American Democratic Charter, including article 20, all necessary diplomatic initiatives, including good offices, to foster full restoration of democracy in Haiti. During the twenty-fifth regular meeting of the Conference of CARICOM Heads of Government, held in Grenada from 4 to 7 July, CARICOM decided to create a channel of engagement with the interim administration of Haiti. A delegation of CARICOM Foreign Ministers then visited Haiti on 13 and 14 July. On 28 July, after considering the report of the CARICOM ministerial delegation, the Bureau of the Conference of Heads of Government arrived at a recommendation on CARICOM relations with the Haitian authorities and requested feedback from its members by 16 August. Owing to a lack of consensus, CARICOM postponed a decision on whether to renew diplomatic ties with Haiti until its November summit in Trinidad and Tobago.

VII. National dialogue and reconciliation

30. The Transitional Government and Haitian political forces have embraced the proposal of an inclusive nationwide dialogue process in order to promote national reconciliation. Details of how the dialogue would be organized, however, remain to be determined. In support of such an initiative, MINUSTAH, in close coordination with UNDP, is exploring ways to assist national stakeholders in formulating the objectives, structure and format of such a national dialogue process, as well as the specific roles of the Transitional Government, political parties, civil society organizations and the international community. Meanwhile, the Transitional Government has engaged in initial consultations with Haitian political forces. Initiatives from civil society groups, such as the proposal for a new "social contract" promoted by the political coalition Group of 184, may also help advance such processes. However, the absence, at present, of Fanmi Lavalas from the political transition process remains an obstacle to any dialogue and reconciliation initiative.

VIII. Preparations for elections

31. On 28 June, a representative of civil society was appointed as the ninth member of the Provisional Electoral Council in lieu of a representative of Fanmi Lavalas. The latter had refrained from nominating a candidate, alleging that it could not engage in the process while suffering political persecution. While it was expected that, upon its completion, the Electoral Council would start working in earnest on the preparation of the elections, it became mired in internal disputes. Political leaders and opinion-makers appealed to Council members to overcome their differences. On 6 August, the Follow-up Committee to the Consensus on the Political Transition Pact helped to broker an agreement among the Council members to move beyond the impasse. The agreement provided inter alia for the appointment of a temporary Council spokesperson; the temporary adoption of the rules of procedure of the previous Provisional Electoral Council of 30 May 2001; the appointment of a seven-person committee made up of four Council members and three members of the Follow-up Committee to draft new rules of procedure with the assistance of two international experts from the International Organization of la Francophonie; and a review of contested staff appointments. Although the Provisional Electoral Council has resumed its weekly meetings, the agreement

remains precarious and the start of field operations is hampered by continued scarcity of resources.

32. The Provisional Electoral Council has so far not drawn up the time frames for the elections or taken a decision regarding the sequence and number of votes. Whereas the Transitional Government had voiced a preference for three separate votes, several parties have expressed concern that such a sequence would imply a full year of campaigning — a task they claim they cannot afford. Although a final decision belongs to the Provisional Electoral Council, political forces have expressed the wish to be consulted on the matter.

33. On 15 April the Transitional Government requested United Nations assistance in the elections. A mission was accordingly sent to Haiti from 8 to 17 June to assess the electoral needs and determine the modalities for the assistance of the international community, in particular that of the United Nations, in this area. The team met with the interim President, the interim Prime Minister, representatives of political parties, civil society and religious leaders and held working sessions with members of the Provisional Electoral Council, which was not yet fully constituted. Its interlocutors stressed the importance of United Nations assistance to ensure an electoral process that is free, fair and transparent. The simultaneous presence in Haiti of an electoral expert team from OAS allowed for close consultations on the ground, including on cooperation and coordination between the two organizations in the electoral field.

34. The United Nations assessment mission recommended action in such areas as amendments to the electoral law and related regulations; training and direct technical assistance to the Provisional Electoral Council on administrative and financial matters as well as operational planning; the establishment of a voters list; and the development of a broad civic education campaign. It also recommended that joint municipal and parliamentary elections be held first, towards the middle of 2005, and that presidential polls be held towards the end of 2005. MINUSTAH would provide the necessary guidance and supervise the electoral process, and would coordinate and monitor international technical assistance for the elections.

35. Consultations with OAS on the modalities of cooperation in the electoral field have been undertaken. It is expected that they will be soon formalized in a memorandum of understanding that will take into account each organization's mandate and experience and seek the most efficient use of available resources. The Mission will also develop a collaborative approach with other international organizations willing to support the electoral process, in particular CARICOM. MINUSTAH has begun to help support the Provisional Electoral Council and to reach out to political and non-governmental organizations in an effort to promote the participation of women in political life and in all aspects of the electoral process.

IX. Restoration of State authority

36. During the reporting period, the Transitional Government has made moderate strides forward in its capacity to extend State authority outside Port-au-Prince. As of the first week of August, the Transitional Government had appointed 103 of 139 municipal commissions. A number of municipalities, however, remain without a mayor. At the same time, in those areas where a local government is in place, many of the municipal structures lack appropriate infrastructure and basic facilities

because of the looting that occurred in February 2004. Some social and political forces in the communities are concerned about the lack of consultation on the appointment of municipal authorities by the Transitional Government, as prescribed in the Consensus on the Political Transition Pact.

37. MINUSTAH has established close contact with the various levels of State administration, including the central authorities in charge of local government, regional delegates and municipal councils, during regular visits throughout the country in advance of a full permanent presence. This has helped MINUSTAH to start identifying local needs and develop a municipal database. In consultation with key institutions of central government, the Mission has also begun assessing needs in the area of public administration, local management skills and good governance. Municipal governments have expressed a keen interest in receiving training in those areas. These initiatives will build upon ongoing UNDP programmes for the modernization of State institutions and effective decentralization. A team of national experts is currently working with the Prime Minister's Office to fine-tune the legal framework and conduct pilot initiatives, such as a registry of public servants at the regional and municipal levels. MINUSTAH is working in conjunction with UNDP, OAS and European Union programmes on decentralization, and the establishment and strengthening of legitimate local authority.

38. MINUSTAH established a quick-impact project review committee in support of civil society initiatives and public institutions. So far, some 80 projects have been reviewed and 27 have been approved, including sanitation projects; small income-generating projects for groups of women, youth, and farmers; sewage system rehabilitation; garbage collection; improvement of drinking water systems; delivery of electricity; rehabilitation of dispensaries/hospitals; child protection and HIV/AIDS programmes. The Mission's assistance through quick-impact projects has been well received by the local population. MINUSTAH troops have also played an important role in identifying and implementing small-scale engineering projects.

39. The civilian component of the Mission is based primarily in the capital at this stage, and is currently deploying into Gonaïves, Cap-Haïtien and Les Cayes. A presence outside the capital will facilitate regular contacts with local authorities and civil society, as well as the implementation of and follow-up to quick-impact projects.

X. Human rights

40. Insecurity and continued problems in the functioning of law enforcement structures contribute to the continuing precariousness of the human rights situation. Abuses of particular concern include the detention conditions in prisons and at police stations, as well as cases of arrest without warrant, wrongful detention, non-respect of the constitutional 48-hour period established for those arrested to appear before a judge and problems in the juvenile justice system.

41. During the reporting period, the human rights adviser to the United Nations country team worked closely with the substantive components of MINUSTAH on human rights issues pending the deployment of the Mission's human rights component. Joint visits to prisons and police stations with MINUSTAH civilian police officers and military officers were conducted in Port-au-Prince, Cap-Haïtien and Hinche. The human rights adviser held regular consultations with the Haitian

authorities, civil society groups, United Nations agencies, OAS and the diplomatic community on possible courses of action to promote the respect for human rights during the transition period, with a particular focus on violations of individual rights, conditions in prisons and police stations, arbitrary arrest and wrongful detention.

42. The trial of Louis Jodel Chamblain opened on 16 August 2004 in a special criminal court in Port-au-Prince. He allegedly participated in the assassination of Antoine Izmery, a businessman and adviser to former President Aristide, in September 1993. At the time of the murder, Mr. Chamblain was co-leader of the Front révolutionnaire pour l'avancement et le progrès en Haïti (FRAPH), a paramilitary group responsible for many killings and human rights violations when Haiti was under military rule. After only 16 hours of hearing, the jury acquitted Mr. Chamblain and his co-defendant, Jackson Joanis, a former Haitian army captain, in the Izmery case, but both remain in prison pending further trials. Members of the diplomatic community, OAS, and international and national human rights groups denounced the trial as not meeting minimum standards and expressed concern at the haste with which the Transitional Government has arrested members of Fanmi Lavalas suspected of political violence or corruption (see para. 27 above), while failing to act against perpetrators of serious human rights violations.

XI. Humanitarian situation and development

43. The humanitarian situation in Haiti remains complex, compounded by chronic poverty and environmental degradation. The southern part of Haiti suffered major floods on 24 and 25 May, which severely affected the towns of Mapou and Fonds Verrettes, killing, according to government figures, 1,261 persons, with 1,414 more missing. These events highlighted the difficulties of Haiti in responding adequately to natural disasters. The Multinational Interim Force provided much-needed helicopter assistance, allowing supplies to be transported to the affected areas. The region continues to receive support from United Nations agencies and humanitarian organizations and is in a process of rehabilitation.

44. In anticipation of the arrival of MINUSTAH humanitarian affairs officers, a team from the Office for the Coordination of Humanitarian Assistance supported MINUSTAH on humanitarian matters and fulfilled the role of humanitarian and civil-military coordinator. MINUSTAH has initiated the preparations to ensure that it has the necessary capacity to support the response to complex emergencies and natural disasters in coordination with other actors on the ground. United Nations inter-agency assessment missions were deployed to follow up on the recent floods and to identify possible vulnerable areas.

45. During the month of May, UNDP officers provided substantive input as well as coordination and logistics support to the interim cooperation framework process and drew upon previous efforts to develop an interim poverty reduction strategy paper. The interim cooperation framework will be recognized as the interim poverty reduction strategy paper, thus allowing the Transitional Government to deepen its relations with the International Monetary Fund. UNDP also served on the steering committee of the interim cooperation framework, alongside the World Bank, the Inter-American Development Bank and the European Commission. Representatives of the diplomatic community have urged the establishment of strong and

internationally supervised mechanisms to ensure good governance and prevent corruption, particularly in the light of the imminent disbursement of international assistance under the interim cooperation framework. The Transitional Government and its international partners are currently designing the mechanisms and institutional frameworks to ensure a swift, transparent and effective implementation of the interim cooperation framework.

46. MINUSTAH initiated consultations with civil society groups on women's participation in political life, and the special concerns of women and children in disarmament, demobilization and reintegration efforts and in the restructuring of the judiciary and the corrections system. MINUSTAH has also embarked upon a gender sensibilization campaign with the civilian, military and civilian police components of the Mission. MINUSTAH contributed to the United Nations Inter-Agency National Plan on Sexual Violence against Women, which emphasizes the need to strengthen coordinated actions of prevention and support to victims of gender-based violence, including sexual violence, under the leadership of the Ministry for the Status of Women. MINUSTAH, together with UNAIDS, UNFPA and national partners, has participated in the development of a joint project to set up a training programme on HIV/AIDS with a gender perspective for the Haitian National Police.

XII. Coordination and cooperation with the Organization of American States and the Caribbean Community

47. The regional partners of Haiti have taken a prominent role in providing assistance to the country, as evidenced by the deployed and pledged troop contributions and the important involvement of regional and subregional organizations. Close cooperation has been established between MINUSTAH and the OAS Special Mission in the area of electoral support and assistance to the Haitian National Police. A memorandum of understanding between the United Nations and OAS on electoral assistance, setting out the scope of collaborative efforts, defining the respective functions and activities of each organization, and laying down the modalities of a cooperation mechanism is being finalized (see also para. 35 above).

48. Since June, bimonthly meetings of the major stakeholders in Haiti, including the diplomatic corps, international financial institutions, and regional and subregional organizations, have been convened by the Officer-in-Charge of MINUSTAH to exchange information and discuss issues of concern. These meetings were held in anticipation of the forthcoming creation by my Special Representative of the Core Group, as envisaged in my report of 16 April 2004 (see S/2004/300, para. 81) and endorsed by the Security Council in resolution 1542 (2004).

XIII. Mission support

49. The need for MINUSTAH to become operational rapidly has been a serious test for the support component of the Mission. In particular, it has not been easy to find suitable premises for the Mission. Pending the refurbishment of the premises for the MINUSTAH integrated headquarters in Port-au-Prince, which was handed over by the Transitional Government on 13 August, the United Nations House has accommodated a temporary mission headquarters of limited capacity on its grounds. Support bases for military contingents have been established either through

commercial rental or Government-provided rental-free premises in several locations in Port-au-Prince, Cap-Haïtien and Gonaïves. Arrangements are currently being made for the provision of premises in Fort-Liberté, Les Cayes, Jacmel, Hinche and Saint-Marc. Level III medical evacuation arrangements and emergency medical evacuation arrangements to Santo Domingo in the Dominican Republic and Miami in the United States have been put in place. During the start-up phase of MINUSTAH, UNDP provided invaluable support with a range of essential basic services, including financial services, logistics, customs clearance, transportation, office space and utilities. The status-of-forces agreement between MINUSTAH and the Transitional Government was signed on 9 July and entered into force on the same date.

XIV. Financial aspects

50. The Advisory Committee on Administrative and Budgetary Questions authorized resources in the amount of $49,259,800 for the period from 1 May to 30 June 2004 for the establishment of the Mission under the terms of section IV of General Assembly resolution 49/233 A of 23 December 1994. The General Assembly, by its resolution 58/311 of 18 June 2004, authorized the Secretary-General to enter into commitments in the amount of $172,480,500 for the maintenance of the Mission for the period from 1 July to 31 October 2004, and decided to apportion among Member States the amount of $221,740,300 for the period from 1 May to 31 October 2004. The report containing the budget for the period from 1 May 2004 to 30 June 2005 is in preparation, and will be reviewed by the Assembly during its fifty-ninth session.

51. As at 31 July 2004, unpaid assessed contributions to the Special Account for MINUSTAH amounted to $218.3 million. The total outstanding assessed contributions for all peacekeeping operations at that date amounted to $2,478 million.

XV. Observations

52. MINUSTAH has made a promising start with the assumption of security responsibilities from the Multinational Interim Force and progressive stabilization efforts in major areas of the country. I would like to extend my appreciation to the MIF contributing countries for their valuable contribution. I am pleased to note that the Mission's deployment has been generally well received. In order to establish a credible presence throughout Haiti, it is however important that the deployment of the remaining MINUSTAH elements be accelerated. I would like to express my appreciation to the countries that have pledged to contribute troops and civilian police to the Mission, and urge that they do their utmost to expedite the early deployment of their personnel. The special effort on the part of Member States to provide French-speaking personnel, in particular civilian police officers, is welcome and should be sustained.

53. The Transitional Government and the international community share a common desire to see Haiti overcome its present challenges and a common vision on how to achieve this. This has been confirmed by the interim cooperation framework process and the ensuing Donors Conference in Washington, D.C. Both

the Haitian authorities and the international community are now ready to build on a common platform of shared goals during the transition period to prepare the ground for long-term stability, democracy and sustainable development. I applaud the Haitians' determination to steer their country towards a better future. The international community will accompany them along the way as a reliable and long-term partner.

54. The Transitional Government, civil society and political forces have made incremental but encouraging strides towards establishing a dialogue on the key challenges facing the country. It is my hope that a comprehensive national dialogue process will help to bring together all major political movements, regardless of affiliation, to participate in the transition. Recrimination and revenge have all too often characterized the past and should be laid to rest. The United Nations stands ready to further assist in this endeavour.

55. I salute the support of Prime Minister Latortue for nationwide reconciliation, but must emphasize that this cannot be separated from an even-handed fight against impunity and the enforcement of accountability. The restoration of the rule of law will be crucial to restoring the confidence of citizens in the institutions of the State. The Government of Haiti must do more to establish a well-functioning justice system that is accessible to all and operates free of inappropriate governmental, political or private influence. I remain concerned about reports of double standards in the administration of justice. The sudden acquittal of a former paramilitary leader accused of murder at a trial during which the proper procedures were not respected stands in sharp contrast with a commitment to tackle impunity effectively. The establishment of administrative lists of citizens barred from travelling abroad, without judicial justification, is also a matter of concern.

56. Regrettably, illegitimate armed groups have continued to exercise official security and administrative functions. The existence of these parallel structures serves to undermine the legitimacy of the institutions of Haiti. I therefore urge the Transitional Government to strengthen the country's legitimate democratic institutions while overhauling or abolishing those that do not meet democratic standards.

57. Disarming armed groups and training a professional national police must be an integral part of these efforts. I urge the Transitional Government, as a matter of priority, to establish a national commission on disarmament, demobilization and reintegration. This is the first step towards a comprehensive, sustainable and equitable disarmament, demobilization and reintegration programme. I call upon all concerned to lay down their arms and to refrain from violence in order to allow the political process, including the electoral process, to unfold free from undue pressure. Within the limits of its mandate, MINUSTAH will not fail to help the Haitian authorities to address these formidable challenges.

58. While the Transitional Government's determination to prepare for elections in 2005 is promising, the Provisional Electoral Council needs effectively to implement its responsibilities without undue delay. I trust that, with the assistance of the United Nations and OAS, as well as other important organizations active in the electoral field, it will be possible to lay the ground for a sound and transparent electoral process that deserves the confidence of voters. In this process, the Provisional Electoral Council must be seen as independent, inclusive, effective and reliable by

all political forces if the forthcoming elections are to be credible and lead to democratic institutions that are accepted and unchallenged.

59. It is encouraging that the overall situation has become calmer and more stable. However, it is clear that the efforts to ensure a stable environment, support the political process, and assist in the upcoming elections must be accompanied by sustainable economic development and income-generating activities. In this regard, the Donors Conference for Haiti in July saw a favourable response to the short- and medium-term needs identified in the interim cooperation framework. I appeal to donors to deliver on these commitments in a timely manner. Haiti has taken the first steps down the path of stability and development. The country needs the help of the international community to continue on a sure footing.

60. In conclusion, I would like to extend my appreciation to my Special Adviser, John Reginald Dumas, for his personal commitment to Haiti during his six-month tenure and for ensuring a smooth handover to my Special Representative. I would also like to commend the Deputy Special Representative for Humanitarian and Development Coordination for taking on the additional responsibility of Officer-in-Charge until the arrival of my Special Representative. The men and women of MINUSTAH deserve our gratitude for their tireless work to establish a mission in a short time and for their efforts in contributing to peace and security in Haiti. I am also indebted to representatives of regional and subregional organizations, United Nations funds, agencies and programmes and bilateral donors for their continuing efforts to support Haiti through a difficult period of transition.

Annex I

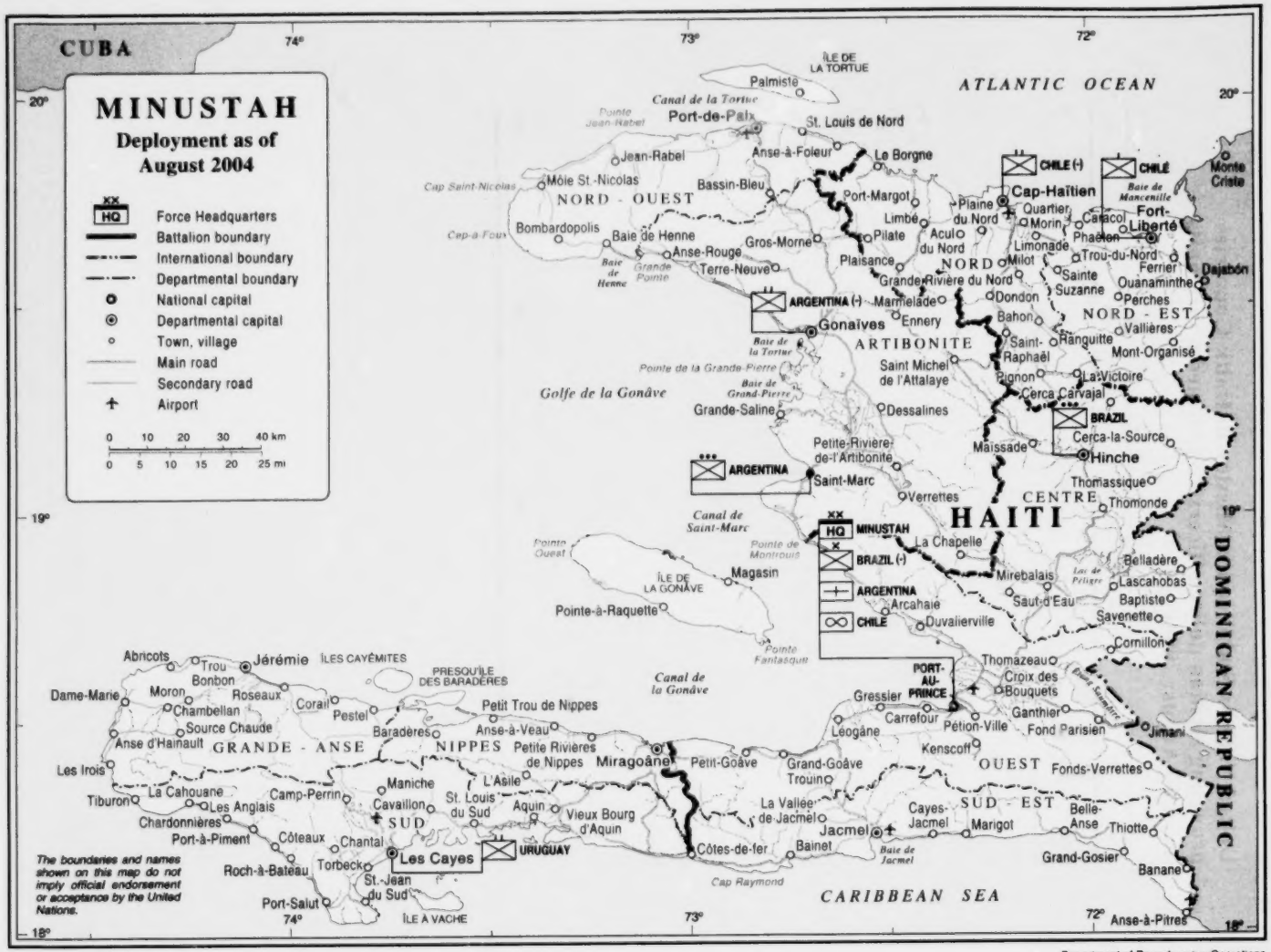
United Nations Stabilization Mission in Haiti: Countries providing military staff and contingents (as at 17 August 2004)

Country	*Staff officers*	*Troops*	*Total*
Argentina	6	480	486
Benin	3	-	3
Bolivia	6	-	6
Brazil	12	1 198	1 210
Chile	6	448	454
Croatia	1	-	1
France	2	-	2
Nepal	6	-	6
Paraguay	6	-	6
Peru	2	-	2
United States of America	4	-	4
Uruguay	4	571	575
Total	**58**	**2 697**	**2 755**

Annex II

United Nations Stabilization Mission in Haiti: Countries providing civilian police officers and formed police units (as at 17 August 2004)

Country	*Civilian police officers*	*Formed police units*	*Total*
Benin	9	-	9
Bosnia and Herzegovina	3	-	3
Burkina Faso	39	-	39
Cameroon	43	-	43
Canada	26	-	26
Chad	1	-	1
Chile	2	-	2
China	1	-	1
France	32	-	32
Ghana	2	-	2
Jordan	1	125	126
Mali	8	-	8
Niger	7	-	7
Portugal	5	-	5
Senegal	51	-	51
Sierra Leone	5	-	5
Turkey	5	-	5
Total	**240**	**125**	**365**



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